IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Patent Application of Csore, M. et al.

Confirmation No.: 6646

Serial No. 09/823,814

Group Art Unit: 1631

Filed: 30 March 2001

Examiner: CLOW, L.A.

Title: METHOD AND SYSTEM FOR MANAGING BLOOD PRODUCTS

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. §1.705(b)

MAIL STOP: ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.705, applicants respectfully request patent term adjustment for this application as set forth in the paragraphs that follow. The Office is authorized to charge the $200.00 fee for the Application for Patent Term Adjustment under 37 C.F.R. § 1.18(e) to Deposit Account No. 1808-75. The Office is also authorized to credit any overpayment for this application to Deposit Account No. 1808-75. The facts in support of this filing are as follows:

This patent application was filed on 03/30/2001, and therefore is subject to the patent term adjustment procedures set forth in 37 C.F.R. §§ 1.702 to 1.705 for applications filed on or after May 29, 2000.

On 03/30/2000, applicants filed a provisional application.

On 03/30/2001, applicants filed this application.

On 08/27/2002, the Office mailed a Non-Final Rejection. As shown in the PAIR printout included herein as Exhibit A, the number of days of Patent Term Adjustment for Office delay is properly increased by the 89 days of delay due to the non-timely submission of the Non-Final Rejection.

The action set a 3-month shortened statutory period for reply from the mailing date of the Non-Final Rejection.

On 12/27/2002, in response to the Non-Final Rejection dated 08/27/2002, applicants mailed a Response After Non-Final Action including a one-month extension request. This response was received by the Office on 01/03/2003, one month and 7 days after the mailing of the Non-Final Office Action. As shown in the PAIR printout included herein as Exhibit A, the number of days of Patent Term Adjustment for applicant delay is properly reduced by the 37 days of applicant delay due to the non-timely submission of this response.

On 03/25/2003, the Office mailed a Non-Responsive Action, setting a one-month shortened statutory period for reply from the mailing date of the Notice.

On 04/29/2003, in response to the Notice dated 03/25/2003, applicants mailed a Response After Non-Final Action. As shown in the PAIR printout included herein as Exhibit A, the number of days of Patent Term Adjustment for applicant delay is properly reduced by the 116 days of applicant delay due to the non-timely submission of this response.

On 07/03/2003, the Office mailed a Non-Responsive Action, setting a one-month shortened statutory period for reply from the mailing date of the Notice.

On 07/28/2003, in response to the Notice dated 07/03/2003, applicants mailed a Response After Non-Final Action. As shown in the PAIR printout included herein as Exhibit A, the number of days of Patent Term Adjustment for applicant delay is properly reduced by the 90 days of applicant delay due to the non-timely submission of this response.

On 10/20/2003, the Office mailed a Non-Final Rejection, setting a 3-month shortened statutory period for reply from the mailing date of the Non-Final Rejection.

On 02/20/2004, in response to the Non-Final Rejection dated 10/20/2003, applicants mailed a Response After Non-Final Action including a one-month extension request. This response was received by the Office on 02/24/2003, one month and 5 days after the mailing of the Non-Final Office Action. As shown in the PAIR printout included herein as Exhibit A, the number of days of Patent Term Adjustment for applicant delay is properly reduced by the 35 days of applicant delay due to the non-timely submission of this response.

On 06/14/2004, the Office mailed a Final Office Action.

On 09/15/2004, in response to the Final Office Action, applicants timely mailed an Amendment After Final. A copy of the Amendment, along with the Certificate of Mailing certifying that the Amendment was mailed on 09/15/2004, is attached as Exhibit B. The 09/15/2004 mailing date was the date of the expiration of the three-month period following mailing of the Final Office Action (09/14/2004 was a Sunday). Accordingly, there was no lack of due care in applicants' use of U.S. Mail and a Certificate of Mailing (rather than, for example, Express Mail). The calculation of 5 days charge for applicants delay is improper.

On 12/15/2004, the Office mailed a Non-Final Rejection, setting a 3-month shortened statutory period for reply from the mailing date of the Non-Final Rejection.

On 04/15/2005, in response to the Non-Final Rejection dated 12/15/2004, applicants mailed a Response After Non-Final Action including a one-month extension request. This response was received by the Office on 04/20/2005, one month and 6 days after the mailing of the Non-Final Office Action. As shown in the PAIR printout included herein as Exhibit A, the number of days of Patent Term Adjustment for applicant delay is properly reduced by the 36 days of applicant delay due to the non-timely submission of this response.

On 07/11/2005, the Office mailed a Non-Responsive Action, setting a one-month shortened statutory period for reply from the mailing date of the Notice.

On 07/28/2005, in response to the Notice dated 07/11/2005, applicants mailed a Response After Non-Final Action. As shown in the RESPONSE TO COMMUNICATION OF JULY 11, 2005, included herein as Exhibit C, the number of days of Patent Term Adjustment for applicant delay was improperly reduced by the 103 days of applicant delay. As set forth in the RESPONSE TO COMMUNICATION, the REQUIREMENT FOR INFORMATION, dated 15 December, 2004, requested information that was cumulative under 37 C.F.R. §1.98(c) and any delay should not be charged to the applicants.

On 02/28/2006, the Office mailed a Non-Final Rejection, setting a 3-month shortened statutory period for reply from the mailing date of the Non-Final Rejection. As shown in the PAIR printout included herein as Exhibit A, the number of days of Patent Term Adjustment for Office delay is properly increased by

the 89 days of delay due to the non-timely submission of the Non-Final Rejection.

On 06/12/2006, in response to the Non-Final Rejection dated 02/28/2006, applicants mailed a Response After Non-Final Action including a one-month extension request. This response was received by the Office on 06/15/2006, 18 days after the mailing of the Non-Final Office Action. As shown in the PAIR printout included herein as Exhibit A, the number of days of Patent Term Adjustment for applicant delay is properly reduced by the 18 days of applicant delay due to the non-timely submission of this response.

On 03/13/2007, the Office mailed a Notice of Non-Compliant Action, setting a one-month shortened statutory period for reply from the mailing date of the Notice.

On 03/23/2007, in response to the Notice dated 03/13/2007, applicants mailed a Supplemental Amendment. As shown in the PAIR printout included herein as Exhibit A, the number of days of Patent Term Adjustment for applicant delay is properly reduced by the 98 days of applicant delay due to the non-timely submission of this response.

On 09/12/2007, applicants filed an AMENDMENT AFTER ALLOWANCE. Accordingly, the amount of the reduction for applicant delay will depend on the date of response by the Office.

According to the provisions of 37 C.F.R. §1.702(b), applicants are further entitled to Patent Term Adjustment for the failure of the Office to issue the patent within three years after the date on which the application was filed. Applicants are entitled to this adjustment because none of the provisions described in 37 C.F.R. §1.702(b)(1)-(5) apply in the instant application. The amount of the Adjustment will depend on the

date that the instant application is issued as a patent, and should be counted from 03/30/2001, subtracting only time legitimately attributable to applicant delay, i.e., the (430 days plus any reduction for the Amendment After Allowance) minus the 178 days attributable to Office delay.

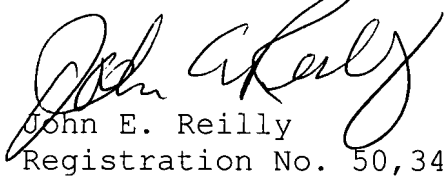
In summary, applicants respectfully request that the Patent Term be increased for the period in excess of the three year period from the date of filing, less the adjustments as mentioned above for applicant delay, minus office delay.

This patent application is not subject to a terminal disclaimer.

If the Office would like to discuss any aspect of this filing, the Office representative assigned to process this request is welcome to call the undersigned attorney at (303)839-8700.

Respectfully submitted,

THE REILLY INTELLECTUAL PROPERTY LAW FIRM, P.C.



By: John E. Reilly
Registration No. 50,344
Attorney for Applicants
1554 Emerson Street
Denver, Colorado 80218
Telephone: (303) 839-8700
Facsimile: (303)830-2016
Customer Number 46764

CERTIFICATE UNDER 37 C.F.R. 1.10

I hereby certify that the foregoing APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(b) is being deposited with the United States Postal Service as express mail, express mail label no. **EV 812 417 714 US**, in an envelope addressed to MAIL STOP: ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, this 13th day of September, 2007.

PAIR Printout

EXHIBIT A

Patent eBusiness

- Electronic Filing
- Patent Application Information (PAIR)
- Patent Ownership
- Fees
- Supplemental Resources & Support

Patent Information

Patent Guidance and General Info

- Codes, Rules & Manuals
- Employee & Office Directories
- Resources & Public Notices

Patent Searches

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09/823,814 METHOD AND SYSTEM FOR MANAGING BLOOD PROD

Select New Case | Application Data | Transaction History | Image File Wrapper | Patent Term Adjustments | Continuity Data | Publish Docume

Transaction History

Date	Transaction Description
06-13-2007	Mail Notice of Allowance
06-13-2007	Mail Examiner's Amendment
06-11-2007	Document Verification
06-11-2007	Notice of Allowance Data Verification Completed
06-11-2007	Examiner's Amendment Communication
04-05-2007	Date Forwarded to Examiner
03-23-2007	Response after Non-Final Action
03-13-2007	Mail Notice of Informal or Non-Responsive Amendment
02-07-2007	Correspondence Address Change
01-11-2007	Date Forwarded to Examiner
12-15-2006	Informal or Non-Responsive Amendment after Examiner Action
12-15-2006	Response after Non-Final Action
12-27-2006	Mail Examiner Interview Summary (PTOL - 413)
12-21-2006	Examiner Interview Summary Record (PTOL - 413)
09-15-2006	Mail Non-Final Rejection
09-12-2006	Non-Final Rejection
06-21-2006	Date Forwarded to Examiner
06-15-2006	Response after Non-Final Action
06-15-2006	Request for Extension of Time - Granted
02-28-2006	Mail Non-Final Rejection
02-21-2006	Non-Final Rejection
01-30-2006	Date Forwarded to Examiner
08-01-2005	Response after Non-Final Action
08-16-2005	Case Docketed to Examiner in GAU
08-01-2005	Information Disclosure Statement (IDS) Filed
08-01-2005	Information Disclosure Statement (IDS) Filed
07-11-2005	Mail Notice of Informal or Non-Responsive Amendment
05-05-2005	Date Forwarded to Examiner
04-20-2005	Informal or Non-Responsive Amendment after Examiner Action
04-20-2005	Response after Non-Final Action
04-20-2005	Request for Extension of Time - Granted
12-15-2004	Mail Non-Final Rejection
12-13-2004	Non-Final Rejection
09-27-2004	Date Forwarded to Examiner
09-21-2004	Amendment after Final Rejection

09-21-2004	Workflow incoming amendment IFW
06-16-2004	Mail Final Rejection (PTOL - 326)
06-14-2004	Final Rejection
03-16-2004	IFW Amended case processing Complete
02-24-2004	Information Disclosure Statement (IDS) Filed
02-24-2004	Information Disclosure Statement (IDS) Filed
03-16-2004	Date Forwarded to Examiner
02-24-2004	Response after Non-Final Action
02-24-2004	Request for Extension of Time - Granted
10-20-2003	Mail Non-Final Rejection
10-20-2003	Non-Final Rejection
10-07-2003	Examiner Interview Summary Record (PTOL - 413)
08-04-2003	Date Forwarded to Examiner
07-28-2003	Response after Non-Final Action
07-03-2003	Mail Notice of Informal or Non-Responsive Amendment
04-29-2003	Miscellaneous Incoming Letter
05-06-2003	Date Forwarded to Examiner
04-29-2003	Informal or Non-Responsive Amendment after Examiner Action
04-29-2003	Response after Non-Final Action
04-09-2003	Examiner Interview Summary Record (PTOL - 413)
03-25-2003	Mail Notice of Informal or Non-Responsive Amendment
01-03-2003	New or Additional Drawing Filed
01-22-2003	Date Forwarded to Examiner
01-03-2003	Informal or Non-Responsive Amendment after Examiner Action
01-03-2003	Response after Non-Final Action
01-03-2003	Request for Extension of Time - Granted
08-27-2002	Mail Non-Final Rejection
08-26-2002	X-Post-Legal Complete Rejection
08-26-2002	Non-Final Rejection
04-29-2002	Case Docketed to Examiner in GAU
10-24-2001	Transfer Inquiry
09-21-2001	Application Dispatched from OIPE
06-18-2001	Application Is Now Complete
06-18-2001	Notice Mailed--Application Incomplete--Filing Date Assigned
06-15-2001	Correspondence Address Change
04-18-2001	IFW Scan & PACR Auto Security Review
03-30-2001	Initial Exam Team nn

If you need help:

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e Patent Application Information Retrieval (PAIR).*
- *Send general questions about USPTO programs to the USPTO Contact Cente*
- *If you experience technical difficulties or problems with this application, plea Support or call 1 800-786-9199.*

Copy of Amendment After Final Filed 15 September 2004

EXHIBIT B

AF/1631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Patent Application of Csore, M. et al	:	Dated: 15 September, 2004
Serial No.: 09/823,814	:	Group: Art Unit 1631
Filed: 30 March, 2001	:	
For: METHOD AND SYSTEM FOR MANAGING BLOOD PRODUCTS	:	Examiner: Mahatan, C.
	:	Action: AMENDMENT AFTER FINAL

MAIL STOP: AF
To the Commissioner of Patents
and Trademarks
Washington, D. C. 20231

Sir:

Responsive to the Office Action of 16 June, 2004, please amend the above-identified application as follows:

Amendment to Claims:

1. (currently amended) A method of managing and tracking blood products between a plurality of remote patient facilities and a central blood testing facility wherein a computer database is provided for recording information and wherein a blood specimen is obtained from each patient who requires a blood reserve for possible transfusion and said specimen is transferred to said central blood testing facility comprising the steps of:

providing an inventory of blood products at said central blood testing facility;

selecting one of said blood products which has an available segment at said central blood testing facility;

detaching said segment from said blood product at said central blood testing facility;

transferring said one of said blood products from said central blood testing facility to one of said remote patient facilities at which said patient is located;

assigning said segment to said patient specimen for cross-matching at said central blood testing facility;

determining the antigens and antibodies present in said ~~one of said blood products~~ segment and said patient ~~specimens~~ specimen;

remote serological cross-matching each said patient specimen and said segment of said blood product at said central

blood testing facility to determine their compatibility with one another~~,~~

determining the compatibility of said ~~one of said blood products~~ segment and patient specimen selected ~~by~~ comparing the antigens and antibodies ~~in said one of said blood products and said patient specimens~~ to determine whether each is present in ~~each~~ said segment ~~of said blood product~~ and said patient specimen tested~~, and storing said information in said database thereof~~;

managing said blood products by preparing a patient identification database of each of said blood products, segments and patient specimens and storing information in said database at each of said central blood testing and remote patient facilities which correlates each of said blood products, segments and patient specimens, their location and movement; and

tracking the location and movement of each of said blood products, segments and patient specimens in said database between said remote patient facilities and said central blood testing facility by displaying the information stored in said database relating to their location and movement.

2. (original) The method according to claim 1 wherein the step of storing information is further characterized by storing each patient's special needs, prior transfusion reaction history, autologous blood availability, directed blood components, blood type and patient specimen expiration date.

3. (previously amended) The method according to claim 1 including the step of assigning said blood products and said patient specimens to a location within each of said remote patient facilities and said central blood testing facility and tracking any movement of said blood products and said patient specimens to other locations.

4. (previously amended) The method according to claim 1 including the step of displaying said patient identification information on a computer at each of said remote patient facilities and central blood testing facility.

5. (previously amended) The method according to claim 4 including the step of displaying said information on a patient bar on each said computer which is accessible to all users regardless of their location at each of said facilities.

6. (previously amended) The method according to claim 1 further characterized by cross-matching a segment of each said blood product and each said patient specimen at said central blood testing facility, assigning each said segment and each said patient specimen to a location in said central blood testing and remote patient facility, and recording said location in said database.

7. (previously amended) The method according to claim 2 including the step of selectively displaying the absence or

presence of each item of information stored including special needs, patient comments, prior transfusion reaction history, autologous blood availability, directed blood components, blood type, presence of unexpected antibodies, patient specimen expiration date and reserved blood components.

8. (previously amended) The method according to claim 1 wherein the step of cross-matching includes the step of producing a product identification tag and attaching to each said blood component.

9. (previously canceled)

10. (previously amended) A method for managing and tracking blood products, patient specimens and segments between a plurality of hospitals and a central blood testing facility wherein a computer database is provided for recording information and a screen is provided for displaying said information, the method comprising the steps of:

obtaining a blood specimen from each patient requiring a blood product to be reserved for possible transfusion;

assigning a segment of a blood product for cross-matching;

remote serological cross-matching each said segment and said patient specimen at said facility to determine their compatibility with one another;

managing each said segment and said patient specimen cross-matched by identifying each said segment, said component and said patient specimen with patient identification information and recording said patient identification information on said database; and

tracking the location and movement of each of said segments, said products and said patient specimens between said hospitals and said facility.

11. (currently amended) A method according to claim 10 further characterized by determining the presence of antigens and antibodies in each said segment and said patient specimen tested prior to said cross-matching.

12. (currently amended) A method according to claim 10 including the step of testing the compatibility of said antigens and antibodies ~~prior to~~ after said cross-matching.

13. (previously amended) A method according to claim 12 characterized by periodically updating the compatibility of said antigens and antibodies and recording said information in said database.

14. (previously amended) A method according to claim 10 including the step of tracking the location of each said segment

and said patient specimen by recording their movement between said test facility and patient location.

15. (previously amended) A method according to claim 10 including the step of recording the antigens and antibodies in each said patient specimen in said database.

16. (previously amended) A method according to claim 10 including the step of recording prior transfusion reaction history of each said patient in said database.

17. (previously amended) A method according to claim 10 including the step of recording autologous blood availability in said database.

18. (previously amended) A method according to claim 10 including the step of recording blood type of each said blood product and said patient specimen.

19. (previously amended) A method according to claim 10 including the step of recording the specimen expiration date of each said segment and said patient specimen.

20. (previously amended) A system for managing blood products and tracking their movement between a central blood test facility and a plurality of hospitals wherein a computer is

provided for processing data including a screen for displaying information, said system comprising:

managing means having first means including a database for entering information pertaining to each patient requiring a blood reserve, second means for entering blood type information for a blood specimen from each said patient, third means for recording a blood type for a blood product assigned to each said patient, fourth means for recording on said database results of comparing antigens and antibodies of each said patient specimen and said blood product;

fifth means for recording on said database results of serological cross-matching of each said patient specimen and said blood product; and

tracking means for tracking the location and movement of each of said blood products and patient specimens between said blood test facility and said hospitals by displaying on said screen the information stored in said database relating to their location and movement.

21. (previously amended) The system according to claim 20 including means for recording special needs of each said patient on said database including means for indicating the presence of said special needs.

22. (original) The system according to claim 20 including sixth means for recording the prior transfusion reaction

history of each said patient including means for indicating the presence of a prior transfusion reaction.

23. (original) The system according to claim 20 including seventh means for recording autologous blood availability and its location for each said patient including means for indicating the presence of an autologous donation for said patient.

24. (original) The system according to claim 20 including eighth means for recording directed blood donations for each said patient including means for indicating the presence of said directed.

25. (original) The system according to claim 20 including ninth means for recording the expiration date of each said patient specimen on said database including means for indicating the expiration date of each said blood specimen which is current and non-expired.

26. (previously amended) The system according to claim 20 including tenth means for comparing antigens and antibodies of each said patient specimen and said blood product.

27. (previously canceled)

28. (original) The system according to claim 20 including eleventh means for recording components of said blood products which have been reserved for said patient including means for indicating the presence of said reserved components in inventory.

29. (previously amended) In a blood management system for managing information relating to blood products between a central blood test facility and one or more remote patient facilities wherein a computer is provided for processing data, a database is provided for recording said information and a screen is provided for displaying said information recorded, the improvement comprising:

managing means including means for recording information identifying each patient requiring a blood reserve on said database, means for obtaining and recording a blood specimen from each said patient, means for assigning a segment of a blood product for cross-matching, means for remote serological cross-matching each said segment and said patient specimen at said blood test facility to determine their compatibility with one another, means for identifying each said segment and said patient specimen, and means for assigning said segment, said blood product and said patient specimen to a location in one of said blood test facility and said remote patient facilities.

30. (previously amended) A system according to claim 29 including means for entering antigens and antibodies presented in said blood specimen and said segment on said database; and means for comparing said antigens and antibodies to determine their compatibility.

31. (original) In a blood management system according to claim 29 including means for displaying information relating to the location of each of said segments and said patient specimens.

REMARKS

At the outset, it is respectfully requested that the Examiner reconsider his position with respect to the sufficiency of the Affidavit which unequivocally states that the applicants are the inventors of the subject matter described and claimed in their application and that the publications in question are publications of the subject matter claimed in the Complete Application and were published by the assignee of the Complete Application.

CONSIDERATION OF AFFIDAVIT

The Examiner has referred to M.P.E.P. Section 716.10 which requires that to rebut a rejection under 35 U.S.C. §102(a), the inventors named must provide a satisfactory showing by way of Affidavit under 37 C.F.R. §1.132 that the inventorship of the application is correct. That section of the Manual relies upon ***In re Katz***, 687 F.2d 450, 455, 215 USPQ 14, 18 (CCPA 1982). The Examiner concludes that there is ambiguity based on the absence of anything in the publications with respect to authorship or inventorship. On this point, in ***In re Katz*** the ambiguity created by the printed publication was that the publication listed several authors in addition to the inventor; and the Examiner took the position that "Disclaiming affidavits or declarations by the other authors are required to support applicant's position that he is, in fact, the sole inventor of the subject matter described in the

article and claimed herein." The Court of Customs and Patent Appeals reversed, stating that it was sufficient for the inventor alone to aver in his declaration that "he is the sole inventor of the subject matter described and claimed in his application and also that disclosed in the publication . . . ." In reaching this conclusion, the Court distinguished authorship of the publication from inventorship of the subject matter claimed in the application.

In the instant application, the publications in question do not recite the names of the authors or whether there were more authors than inventors. If anything, even assuming that there were other authors of the publication, it would not be necessary under the holding in ***In re Katz*** to submit additional declarations from the other authors disclaiming inventorship.

The foregoing is further reinforced by M.P.E.P. Section 716.10 (Column 2 at page 700-269 of Revision dated 2 May, 2004):

> "An uncontradicted 'unequivocal statement' from the applicant regarding the subject matter disclosed in an article, patent, or published application will be accepted as establishing inventorship. *In re DeBaun*, 687 F.2d 459, 463, 214 USPQ 933, 936 (CCPA 1982). However, a statement by the applicants regarding their inventorship in view of an article, patent, or published application may not be sufficient where there is evidence to the contrary. *Ex parte Kroger*, 218 USPQ 370 (Bd. App. 1982) . . . ."

The M.P.E.P. is therefore consistent with the cited cases in requiring something further than a Declaration of Affidavit of the inventor(s) only where there is evidence to the contrary.

It is therefore requested that the Examiner reconsider his position with respect to the sufficiency of the Affidavit.

VAGUE AND INDEFINITE

Claims 1, 10-12 and all claims dependent therefrom have been objected to as confusing and redundant in reciting a succession of steps, namely, "determining (the presence of) antigens and antibodies . . . .", "remote serological cross-matching", and "determination (testing the) of compatibility . . . ." The Examiner then concludes by saying that it is not clear whether such language was intended to mean that the steps are to be performed multiple times. In response, there are three separate or distinct steps involved, although they follow in close sequence to one another. Thus, the step of identifying which antigens and antibodies are present or absent is done prior to the remote serological cross-matching step in which the segment and patient specimen are mixed together which must be done in order to determine their compatibility with one another. However, the actual determination of compatibility is the next step in which, for example, as described on page 13, line 27 to page 14, line 7

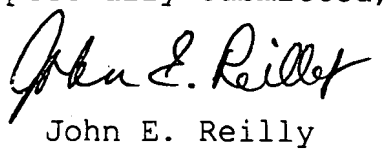
and in Figure 4 is done after the information is stored in the database.

Although it is not necessary to the description of steps involved, it is believed helpful to an understanding of claim 1 to remove the phrase "storing said information in said database thereof"; and in the interest of consistency with the preceding steps in claim 1, the term "segment" has been inserted where appropriate throughout the steps in question.

Referring to claims 10-12, the Examiner's attention is directed to page 26, beginning at line 3, which refers to the ability to determine compatibility of the blood products and specimens as a preliminary step for cross-matching. However, in the interest of consistency with claim 1, claim 11 has been amended to recite "prior to said cross-matching", and claim 12 has been amended to recite "after said cross-matching".

If any issues remain to be resolved, it is requested that the Examiner contact attorney for applicants at the telephone number listed below.

Respectfully submitted,



By: John E. Reilly
Registration No. 18,476
Attorney for Applicants
1554 Emerson Street
Denver, Colorado 8018
Area Code 303 839-8700

CERTIFICATE UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, this 15th day of September, 2004.

Copy of Response to Communication of July 11, 2005
Filed 28 July 2005

EXHIBIT C

IFW/1631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Patent Application of Csore, M. et al	:	Dated: 28 July, 2005
Serial No.: 09/823,814	:	Group: Art Unit 1631
Filed: 30 March, 2001	:	
For: METHOD AND SYSTEM FOR MANAGING BLOOD PRODUCTS	:	Examiner: Mahatan, C.
	:	Action: RESPONSE TO COMMUNICATION OF JULY 11, 2005

MAIL STOP: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Responsive to the REQUIREMENT FOR INFORMATION in the previous Office Action dated 15 December, 2005, please find enclosed an INFORMATION DISCLOSURE STATEMENT setting forth the version 1.1.1.0 required by the Examiner.

The Commissioner of Patents and Trademarks is hereby authorized to charge any additional information disclosure fee which may be due to Deposit Account No. 18-0875. However, it is submitted that a fee should not be required in this instance since 37 C.F.R. §1.98(c) provides as follows:

> "(c) When the disclosures of two or more patents or publications listed in an information disclosure statement are substantially cumulative, a copy of one of the patents or publications may be submitted without copies of the other patents or publications, provided that it is stated tat these other patents or publications are cumulative."

In the Office Action dated 12/15/04, page 2, the Examiner had required "All prior versions of the SafeTrace Tx Table Administration Manual v.1.2.0.0, etc." In response to that requirement, applicants forwarded the index to the only prior version dated just one month earlier than version v.1.2.0.0 in the response filed April 15, 2005 indicating that the only prior "version 1.1.1.0 was basically the same as version 1.2.0.0" and clearly is cumulative and should fall squarely within the meaning of 37 C.F.R. §1.98(c). In addition, the annexed Information Disclosure Statement indicates that the version 1.1.1.0 now being submitted is cumulative to version 1.2.0.0 that was earlier submitted and again should therefore not require an additional fee.

If any issues remain to be resolved, it is requested that the Examiner contact attorney for applicant at the telephone number listed below.

Respectfully submitted,

By: John E. Reilly
Registration No. 18,476
Attorney for Applicants
1554 Emerson Street
Denver, Colorado 8018
Area Code 303 839-8700

CERTIFICATE UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, this 28th day of June, 2003.